

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Rebecca R. Pallmeyer <i>RRP</i>	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	07 C 6849	DATE	January 22, 2008
CASE TITLE	U.S. ex rel. Mario Herring (K-84655) v. Chicago Police Department		

DOCKET ENTRY TEXT:

Petitioner Mario Herring's petition for 28 U.S.C. § 2254 relief is incomplete, as it states neither the conviction petitioner is challenging, nor the claims he seeks to raise. Petitioner has submitted a motion to proceed *in forma pauperis*, but that motion also is incomplete, as it contains neither a certificate from an authorized officer stating the amount petitioner has in his prison trust fund account nor a copy of his prison trust fund statement. Accordingly, his petition is dismissed without prejudice to petitioner submitting an amended petition, and his *in forma pauperis* motion [3] is denied without prejudice to petitioner either submitting a completed *in forma pauperis* application or paying the \$5 filing fee. Petitioner is given 30 days from the date of this order to: (1) either pay the \$5 filing fee or submit a completed *in forma pauperis* application, and (2) submit a completed amended petition that states both the conviction he is challenging and the claims he seeks to raise. Petitioner is further advised to notify the court of any change of address. Failure to comply with this order within 30 days may be construed as petitioner's desire not to proceed with this action and will result in dismissal of this case without prejudice. The clerk shall forward an amended petition form and an *in forma pauperis* application to petitioner.

Docketing to mail notices.

STATEMENT

isk